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NORTHERN DISTRICT OF CALIFORNIA

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SETH D. HARRIS, ACTING SECRETARY
OF LABOR, UNITED STATES
DEPARTMENT OF LABOR,

Petitioner,

vs.

RMRF ENTERPRISES, INC.

Respondents.

CV 13 80 059 MISC
Case No:

[PROPOSED] ORDER TO SHOW CAUSE

Petitioner, Seth D. Harris, Acting Secretary of Labor, United States Department of Labor (the "Secretary"), has applied to this Court for an Order requiring Respondent RMRF Enterprises, Inc. ("RMRF") to produce the records, papers and documents set forth in the subpoena *duces tecum* issued by the Regional Director, Employee Benefit Security Administration, United States Department of Labor, and duly served upon RMRF on October 11, 2012 (the "Subpoena"). Having considered the matters set forth in the Secretary's Petition and

[PROPOSED] ORDER TO SHOW CAUSE
SECRETARY OF LABOR v. RMRF ENTERPRISES, INC.

1 accompanying documents, it is hereby:


2 ORDERED that RMRF appears and SHOW CAUSE, if any there be, why RMRF should
3 not be ordered by this Court to comply with the Subpoena issued to RMRF by the Regional
4 Director, Employee Benefit Security Administration, United States Department of Labor; and it
5 is further

6 ORDERED that RMRF serve and file with the Clerk of this Court, no later than
7 May 30, 2013 a response to the Secretary's Petition, specifically admitting or
8 denying each allegation of the Petition, and setting forth the cause, if any there be, why the
9 Petition should not be granted; and it is further; Reply may be filed by June 7, 2013

10 ORDERED that RMRF appears at a hearing to be held on the Petition on
11 June 27, 2013, at 4⁰⁰ a.m./p.m., in Courtroom Number 10, 19th Floor, located
12 at the ~~Robert F. Peckham~~ Federal Building, United States Courthouse, ~~280 South 1st Street, San~~ 450 Golden Gate Ave., San Francisco, CA 94102
13 ~~Jose, California 95113~~; and it is further

14 ~~ORDERED that the statute of limitations is tolled as of July 9, 2012, the first date of the~~
15 ~~investigation of RMRF by the Employee Benefit Security Administration, until the Secretary~~
16 ~~notifies the Court that Respondent has complied with the Subpoena; and it is further~~

17 ORDERED that the Secretary shall forthwith serve a copy of this Order to Show Cause
18 and the Petition and supporting documents on Respondent in accordance with Rule 4 of the
19 Federal Rules of Civil Procedure.

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21 
22 UNITED STATES DISTRICT COURT JUDGE

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24 Presented by:

25 M. PATRICIA SMITH
26 Solicitor of Labor
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